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Casey A. Bell
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May 14, 2013

Via Email: miller.garyg@epa.gov
& Certified Mail: 7012 1640 0000 4346 1694

Gary Miller
Remedial Project Manager
United States Environmental Protection Agency 6SF-RA
1445 Ross Avenue, Suite 1200
Dallas, TX 75202

Via Email: evebarron@chevron.com
& Certified Mail: 7012 1640 0000 4346 1687

Eve Barron
Chevron U.S.A., Inc.
1400 Smith Street, 5th Floor
Houston, TX 77002

RE: Star Lake Canal Superfund Site
Jefferson County, Texas
CERCLA Docket No. 06-02-06
Request by Jefferson County Drainage District # 7 for Approval to Clear Adjacent
Land for Drainage Purposes

Dear Gary and Eve,

I am writing again on behalf of our client Jefferson County Drainage District #7 (DD7) with respect to my letter to EPA dated March 25, 2013, and the letter from Gary in response dated April 10, 2013.

In order to ensure that the scope of the proposed maintenance and land-clearing work to be done by DD7 adjacent to the Jefferson Canal does not result in a release or threatened release of hazardous substances, DD7 has retained Carroll & Blackman, Inc., a Texas registered engineering firm, to analyze the feasibility study as well as the proposed work plan and provide their engineering advice in that regard. Attached to this correspondence is a letter from Kim Carroll, P.E., outlining his opinions and recommendations with respect to the proposed work and the likelihood of any release or threatened release of hazardous substances if the contractor for DD7 follows his recommendations.

DD7 intends to move forward expeditiously with the proposed work as outlined in my March 25, 2013, letter and in accordance with the recommendations set forth in Mr. Carroll's

correspondence so that it can meet its responsibilities to the taxpayers under its jurisdiction to facilitate storm water drainage. If either EPA or Chevron and the PRP group has any questions, or any objections to or concerns about such work moving forward, please let me know as soon as possible so that we can address those issues promptly.

Thank you for your attention to this important matter.

Sincerely,

RICHARDS RODRIGUEZ & SKEITH LLP

By: 
CASEY A. BELL

Enclosure: As stated.

cc: Phil Kelley, DD7 (via email)
Edwin Quinones (via email)

May 9, 2013

Mr. Phil Kelley
General Manager
Jefferson County Drainage District No. 7
4401 Ninth Avenue
Port Arthur, Texas 77642-1862

RE: Clearing of Land Adjacent to the Star Lake Super Fund Site
Engineer's Opinion and Recommendations

Dear Mr. Kelley,

Our firm has reviewed the following documents associated with the area adjacent to the south edge of the Jefferson Canal located between State Hwy 366 and the hurricane levee.

- Final Feasibility Study Report for Star Lake Super Fund Site Dated June 12, 2012
- Letter to the EPA Dated March 25, 2013 Requesting Consent to Clear Along Jefferson Canal
- Response Letter from the EPA dated April 10, 2013

In summary, the EPA found no objection to the request to clear the area adjacent to Jefferson Canal, but cautioned that the lack of objection did not constitute approval or a shield against EPA actions should hazardous materials be released from the site during clearing activities. After careful review and analysis of the final feasibility study dated June 12, 2013, and the March 25 letter from Drainage District No. 7 to EPA, and after consulting with the District regarding the details of the proposed work, it is our opinion that the only practical risk for a release or threatened release of hazardous substances would be from a significant disturbance of canal sediment or from the disturbance of the soils along the north side of Jefferson Canal.

After a detailed review and analysis of the documents associated with the Star Lake Super Fund Site set forth above, and of the proposed work, it is our opinion, based on reasonable engineering judgment, that the proposed land clearing activities adjacent to the Jefferson Canal within the District right-of-way do not pose a significant threat to the environment or human health. Furthermore, it is our opinion that the proposed land clearing activities are not expected to release or threaten the release of hazardous substances, and the land clearing activities should be conducted in accordance with the following recommendations:

Kim Carroll, P.E.
Toby Davis, P.E.
Allen Sims, P.E.
Cody Croley, P.E.

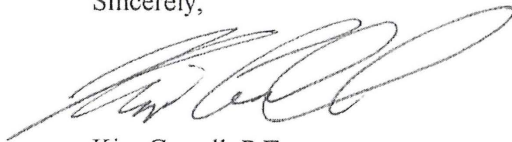
WWW.CBIENG.COM

Maryella Begley, P.E.
Jeff Leavins, P.E.
Jeff Kyler, P.E.

1. In general, all activities related to the proposed land clearing will be designed and executed in order to prevent soil or sediment disturbance.
2. Land clearing activities will be limited to areas within the District's right-of-way adjacent to the south banks of the Jefferson Canal between the hurricane protection levee and State Hwy 366.
3. Clearing of large trees within five (5) feet of the canal edge will be accomplished by utilizing chain saws or other cutting or shearing equipment in order to prevent disturbance of canal sediment.
4. Overhanging vegetation or trees which are removed by cutting will be secured by cable or other suitable means and lifted from the canal area to prevent significant canal soil or sediment disturbance.
5. All cutting, grinding or land clearing activities will be conducted at or above natural ground elevation with minimum ground disturbance.
6. Remaining tree stumps may not be pulled or otherwise grubbed out of the ground in order to prevent significant soil disturbance.
7. Site entry by equipment and staging will be limited to maintained right-of-ways on the south side of Jefferson Canal.
8. The cleared area will be seeded upon completion with Bermuda grass to prevent erosion and promote site stabilization.
9. Supervision of land clearing activities should be conducted to ensure compliance with these recommendations and to prevent sediment or soil disturbance.
10. Site inspection will be conducted by the Engineer or Engineer's representative during land clearing operations.

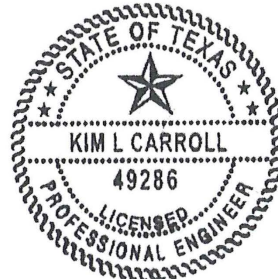
In conclusion, these recommendations do not guarantee that hazardous substances will be contained on-site, or that the EPA will not act against the contractor or the District. However, these recommendations should provide reasonable protection against release or threatened release of hazardous substances.

Sincerely,



Kim Carroll, P.E.
Carroll & Blackman, Inc

Copy: Casey Bell



5-9-13